

NATURAL RESOURCES BOARD

MINUTES

The regular meeting of the Natural Resources Board was held on Wednesday, March 22, 2006 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-7. The meeting adjourned at 12:30 p.m.

ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

Gerald O'Brien – absent	Dan Poulson - present
Jonathan Ela – present	Dave Clausen - present
John Welter – present	Christine Thomas – present
Steve Willett – present	

1.B. Approval of minutes from February 22, 2006

Mr. Welter MOVED, seconded by Mr. Poulson approval of minutes from February 22, 2006. The motion carried unanimously by all members present. Mr. O'Brien was absent.

1.C. Approval of agenda for March 22, 2006

Mr. Welter MOVED, seconded by Mr. Ela approval of agenda for March 22, 2006. The motion carried unanimously by all members present. Mr. O'Brien was absent.

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

Mr. Poulson MOVED, seconded by Mr. Welter approval of the real estate transactions. The motion carried unanimously by all members present. Mr. O'Brien was absent.

3. Action Items

3.A. Air, Waste, and Water/Enforcement

3.A.1. Approval of 2007 Laboratory Certification Fee Adjustments

Greg Pils, Lab Certification Coordinator, Integrated Science Services Bureau stated that Section 299.11(9), Wis. Stats., requires the department to promulgate a graduated schedule of fees for certified and registered laboratories which are designed to recover the costs of administering the laboratory certification program. The fee schedule for each fiscal year is determined using the formula promulgated in s. NR 149.05, Wis. Adm. Code. The formula uses a relative value system to equitably distribute the costs of administering the program among the laboratories the program certifies and registers. The Natural Resources Board must approve all annual fee adjustments.

The program is projecting FY 2007 operating costs of \$568,300. This figure is a decrease of \$9,800 from the program's FY 2006 budget, and is \$92,500 below the program's FY 2007 spending authority. However, a loss of 13 laboratories since the onset of FY 2006 leaves the department with 477 (5%) fewer relative value units across which to distribute these costs. Consequently, the program must increase FY 2007 fees 5% in order to fully fund the program at the projected spending level.

Details of the program's FY 2007 budget and proposed fee adjustment are included in the attached background memorandum.

Mr. Willett MOVED, seconded by Mr. Poulson approval of 2007 Laboratory Certification Fee Adjustments.

Mr. Welter asked why labs are going out of the business of testing.

Mr. Pils stated that labs are looking to consolidate or outsource at the municipal level to save money.

The motion carried unanimously by all members present. Mr. O'Brien was absent.

- 3.A.2. Adoption of Board Order WT-35-05, limited revisions to NR 118, pertaining to standards for the Lower St. Croix National Scenic Riverway.

Russ Rasmussen, Director, Watershed Management Bureau stated that a minor modification is proposed to the recently enacted ch.NR 118 revisions to change the riverway management zone designations for a portion of the Village of Osceola, and for a portion of the City of St. Croix Falls. The change will be from small town historic management zone to rivertown management zone. This change has been requested by both municipalities and is necessary to accurately reflect the existing character of these areas. The proposed modification will address concerns raised by both municipalities. These proposed changes are supported by both municipalities and local legislators as evidenced by comments received at a public hearing held in Osceola.

This modification will give both municipalities more flexibility for permitting business uses while still protecting the existing character of the riverway and maintaining the intent of the rules. Implementing this change will allow business uses to continue as a permitted use rather than requiring a conditional use permit process for each proposed new business or modification of an existing business.

Public Appearance

Brent Denzin, Madison, Midwest Environmental Advocates on behalf of the Sierra Club stated that they are concerned about a slippery slope effect. He wants to clarify that this is one time correction that happened in 2004, rather than reclassifying towns. He is concerned about local development pressure on the St. Croix Riverway. He asked that the Board clarify that this is a correction and not a reclassification.

Mr. Ela asked if the high reliance on municipal control is making it difficult for citizens groups like Sierra Club to monitor what's going on and whether the intent of the rules is being maintained.

Mr. Denzin stated that many municipalities are going through the ordinances development right now. It's still an ongoing concern that the ordinances don't reflect NR 118 provisions.

Mr. Welter MOVED, seconded by Mr. Poulson adoption of Board Order WT-35-05, limited revisions to NR 118, pertaining to standards for the Lower St. Croix National Scenic Riverway. The motion carried unanimously by all members present. Mr. O'Brien was absent.

- 3.A.3. Adoption of Board Order WA-10-05, modifications to the repeal and recreation of NR 590 and NR 600 to NR 690, relating to used oil, universal waste, and hazardous waste.

Al Shea, Administrator, Air and Waste Division stated that in December of 2005 the Natural Resources Board approved Order No. WA-10-05, revisions to the hazardous waste, universal and used oil rules. In January, 2006, hearings were held on the proposed rules by the Senate Natural Resources and Transportation Committee and the Assembly Natural Resources Committee. The proposed rules include an increase in the existing hazardous waste transportation service annual license fee, plus an additional \$35 for each vehicle. The Wisconsin Motor Carriers Association testified and questioned whether the "\$35 for each additional vehicle" component of the fee was proper under state and federal court decisions interpreting the Commerce Clause of the U.S. Constitution. Based on this testimony, both committees sent the rules back to the Department requesting unspecified changes to the rules.

The Department believes that the proposed license fee is constitutional, but also believes that the costs of litigation, uncertainty of outcome and potential for delay outweigh the potential revenue. Accordingly, the Department proposes to delete the "\$35 for each additional vehicle" component of this license fee.

Mr. Willett asked about the position of the motor carrier is. How do they justify this being tied to the commerce clause? What were their thoughts about a \$35 fee on our own carriers?

Mr. Shea stated that legislative council reviewed this and found that there was enough gray area for potential litigation is not worth the revenue from the fee.

Mr. Ela asked if it is a problem that we are losing this revenue and asked if the Department is making it up elsewhere.

Mr. Shea stated it is not being made up elsewhere. It's not in the micro scale, but like most Department programs, this program is under-funded.

Mr. Willett MOVED, seconded by Mr. Welter adoption of Board Order WA-10-05, modifications to the repeal and recreation of NR 590 and NR 600 to NR 690, relating to used oil, universal waste, and hazardous waste. The motion carried unanimously by all members present. Mr. O'Brien was absent.

- 3.A.4. Adoption of Board Order SS-37-05, revisions to NR 20, relating to changes in fishing regulations for Sherman Lake.

Ed Emmons, Section Chief, Fish and Habitat Research, Fisheries and Habitat Protection Bureau stated this is a change in fishing regulations on Sherman Lake in Vilas County to support an ongoing fisheries

research activity. The proposed regulation would liberalize angler harvest by eliminating daily bag and closed season for walleye angling. This study is being conducted in cooperation with Great Lakes Indian Fish and Wildlife Commission to examine the efficacy of the current safe-harvest system for the shared tribal/angler walleye fishery in the ceded territory. The proposed regulation change would allow increased angler and tribal harvest of walleye on Sherman Lake.

The proposed rule change will result in Sherman Lake having an annual harvest rate of 50% of the adult walleye population. This will exceed the current safe-harvest limit that allows for a maximum harvest of 35%. In order to test the efficacy of the 35% harvest limit, walleye populations will need to be harvested at a higher sustained rate. Current research activities are looking at harvest across a range of harvest rates from 0% to 35%. This rule change will complete the study by examining harvest at these higher rates. Walleye populations within this lake will be monitored annually. If populations decline to extremely low levels the study will be stopped with current bag limits and harvest regimes restored.

Sherman Lake, in combination with the other lakes (0 to 35% harvest) will allow the Fisheries Research program to develop models to evaluate the effectiveness of the current safe harvest system for walleye in the ceded territory. These results may be used to change the current safe harvest system which includes bag limits and harvest quotas for both angler and tribal fishers in the ceded territory in Northern Wisconsin.

Mr. Ela asked if there are any vested users on this lake.

Mr. Emmons stated that there are no riparian owners on this lake.

Dr. Thomas asked if there is a concern that there will be hoards of people coming to fish this lake.

Mr. Emmons stated that we had this regulation on Escanaba Lake and we didn't find that to be the case.

Mr. Welter asked if there are any problems with invasives in Escanaba Lake.

Mr. Emmons stated that there are no invasives on Escanaba Lake

Mr. Welter MOVED, seconded by Mr. Poulson adoption of Board Order SS-37-05, revisions to NR 20, relating to changes in fishing regulations for Sherman Lake. The motion carried unanimously by all members present. Mr. O'Brien and Mr. Willett were absent.

3.A.5. Request authorization for public hearing on Board Order WT-21-06, revisions to NR 320, pertaining to Bridges and Culverts in Navigable Waterways

Liesa Lehmann, Water Regulation Coordinator, Rivers and Habitat Protection, Fisheries Management and Habitat Protection Bureau stated that The purpose of the proposed revisions to NR 320 is to create an additional general permit to continue permit streamlining and implementation of 2003 Wisconsin Act 118. The proposed revisions contain construction, design and location standards for a general permit for temporary in-stream crossings, a technique used by the forest industry during logging projects. Revisions also include some housekeeping changes to consolidate standards that apply to all general permits in the rule, and to repeal unnecessary clearance standards for temporary bridges.

Forest landowners, land managers, and loggers will benefit from a streamlined general permit process, reduced permit fee, and clear standards for how to qualify. Conservation organizations and the public who use and enjoy Wisconsin's navigable waters will be interested in the proposed standards to ensure that they protect public rights in navigable waters.

Mr. Welter suggested spawning habitat fish passages in the bridges and culverts.

Ms. Lehmann stated that the structures require a permit so we can work with people.

Carmen Wagner Water Regulations and Zoning Specialist, Watershed Management Bureau stated that there are also seasonal limitations which should address spawning issues.

Mr. Ela MOVED, seconded by Mr. Welter approval of request authorization for public hearing on Board Order WT-21-06, revisions to NR 320, pertaining to Bridges and Culverts in Navigable Waterways. The motion carried unanimously by all members present. Mr. O'Brien was absent.

3.A.6. Request authorization for public hearing on Board Order LE-23-06, revisions to NR 5, pertaining to a new boat sound testing procedure.

William Engfer, Section Chief, Recreation Safety and Education, Law Enforcement Bureau stated that the proposed rules for the new proposed boat sound testing process. Wisconsin s. 30.62 (2)(a) requires all boat sound to meet the level of 86 db or less in order to be legal. Wis. s. 30.62 (2)(d)2 allows the department to promulgate rules establishing testing procedures and Wis. S. 30.62(2)(d)3 allows the department to revise these rules. The current tests that the department uses are designed for motor exhaust noise or they are not safe to perform on airboats or hovercraft type boats when measuring noise other than muffler or exhaust noise. In 2005 the Department was notified of concerns that it was not enforcing the noise requirements on airboats that were applicable to all other boats. At the January Board meeting the Natural Resources Board

heard comments from the public who were concerned about the noise that airboats make and requests that the Department to enforce existing noise laws on the airboat type craft.

The Bureau of Law Enforcement was already in the process of drafting code changes to Administrative Code to address this concern. The Bureau of Law Enforcement is proposing the testing process (WS-100) in order to address the concerns of the public and to allow for a testing process that will take into consideration the safety of the operators of airboat type craft and the safety of the public and the officers when tests for noise of these type of craft are taking place.

It is anticipated that this rule will affect approximately 500 airboat owners in the state along with approximately 50 hovercraft owners. It may also affect other fan driven type boats. It is anticipated that many such existing craft may exceed the statutory decibel limit, which would be detected and enforced through the testing process proposed in this rule.

Mr. Welter asked if the Department has an airboat.

Mr. Engfer stated that all government vessels are exempt under state law.

Mr. Ela asked about the 300 foot standard and how it's comparable to the 86 decibel standard as applied.

Mr. Engfer stated that the 86 decibel is applied depending on the type of testing being used. The standard test is applicable to exhaust noise, not to the fans and the props on the airboats.

Mr. Ela stated that noise is noise and it shouldn't matter whether it is exhaust or prop noise.

Mr. Engfer stated that we can add in a correlation. It's a complicated process.

Mr. Clausen MOVED, seconded by Mr. Ela. Approval of request authorization for public hearing on Board Order LE-23-06, revisions to NR 5, pertaining to a new boat sound testing procedure, The motion carried unanimously by all members present. Mr. O'Brien was absent.

3.B. Land Management, Recreation, and Fisheries/Wildlife

3.B.1. Adoption of Emergency Board Order FR-20-06(E), relating to NR 45.04(1)(g), pertaining to regulating firewood entering and exiting state owned lands.

Darrell Zastrow, Director, Forest Sciences Bureau stated that Emerald Ash Borer (EAB) is an invasive exotic insect that presents an immediate risk to Wisconsin Forest. The movement of firewood is the primary mode of transport for this insect.

Andrea Diss-Torrance, Gypsy Moth Program Coordinator, Forest Sciences Bureau stated that the purpose of this emergency rule is to regulate firewood entering properties managed by the department to reduce the risk of introduction and spread of emerald ash borer and other invasive insects and diseases of trees.

Wisconsin is currently free of emerald ash borer and several other invasive insects and diseases and prohibiting firewood from out-of-state sources will help prevent introduction of these invasives into our state parks and forests from which they could spread to private lands and our communities. Firewood in violation of this rule would be seized and destroyed to prevent transmission of insects or disease.

Currently, emerald ash borer is established in Michigan, Ohio, Indiana and Ontario and is moving primarily on firewood. Parks and campgrounds have been sites of new introductions as a result. This rule will support the external quarantine on host materials of the emerald ash borer and three other pests and diseases proposed by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), provide additional protection for state parks and forests, set a good example for county, municipal and private campgrounds and reduce movement of firewood for use while camping. While this rule may cause some inconvenience for campers and firewood dealers that obtain firewood from outside the state, this inconvenience is dwarfed by the cost of infestation or establishment of emerald ash borer or other invasive pests to the public, industry and municipalities. To minimize any inconvenience, the department is working with firewood dealers and the Wisconsin DATCP to assure a sufficient supply of safe and affordable firewood at department campgrounds.

The Emergency Rule would cover the 2006 camping season. The Department would gather input and more data during the 2006 camping season before seeking final approval of a Permanent Rule to go into effect in winter 2006-2007.

Mr. Welter asked how long the quarantine has been in effect in Michigan.

Dr. Diss-Torrance stated that they found the EAB in 2002, but it had probably been there at least 10 years.

Mr. Welter asked how the outlying areas were added to the list.

Dr. Diss-Torrance stated that it varies depending on when EAB was found.

Mr. Welter asked what process the park goes through once it's been identified there.

Dr. Diss-Torrance stated that ½ mile cutting of all the ash trees.

Dr. Thomas asked why DATCP isn't banning all firewood importation to the state.

Mr. Zastrow stated that they don't have authority to do that.

Mr. Ela asked for clarification from DATCP.

Bob Dahl, Department of Agriculture, Trade, and Consumer Protection (DATCP) stated that there have already been public hearings and the rule is going for permanent adoption. It deals with four pests. The reason it was done this way is because we don't have the pests yet.

Dr. Thomas asked about the interstate commerce. We know that this pest is coming. Can't we do something to stop the importation of firewood?

Mr. Dahl stated it is a problem, but we don't have the ability to ban wood from somewhere where the pest isn't found.

Mr. Ela asked about the level of the quarantine.

Mr. Dahl stated it goes down to the county level on a pest by pest basis.

Mr. Poulson asked why we aren't testing at the state line like we do for TB and other diseases.

Mr. Clausen stated that applies to animals.

Dr. Thomas asked what the Board can do to provide more protection to Wisconsin's forest resource.

Mr. Willett asked about the emergency rule and his concern about being sued.

Mr. Clausen stated that the forestry industry should put forth efforts to influence this problem at the federal level.

Mr. Poulson asked how we can create rules that are similar to controlling animal diseases.

Dr. Sarah Shapiro-Hurley, Deputy Administrator, Land Division stated it's a matter of coordinating with Animal and Plant Health Inspection Service (APHIS). They have to authorize the states to take those kinds of actions.

Dr. Thomas stated that perhaps we could discuss a resolution dealing with federal authorities associated with this problem.

Mr. Willett questioned the process for this rule and stated the Department should also be asking for authorization to go to hearing on the permanent rule.

Mr. Welter asked what the justification is for the emergency rule.

Mr. Zastrow stated because of the new EAB find in the UP of Michigan.

Mr. Willett asked why it is varying from the emergency rule and authorization for public hearing process.

Mr. Zastrow stated that the permanent rule is going to look different in the definition of what is acceptable. We are trying to work with firewood producers to figure that out.

Mr. Willett stated that we should be worried about how we restrict transport. Let's do this right.

Mr. Ela asked when the hearing request for a permanent rule will come before the Board.

Mr. Zastrow stated request for hearing in May and permanent adoption in either August or September.

Mr. Poulson asked where our wood comes from

Mr. Dahl stated that that they are a disorganized group. We are trying to figure that out right now. DATCP is sending out surveys right now.

Mr. Ela stated that what we are doing is pushing as far as our jurisdiction allows.

Paul DeLong, Administrator, Forestry Division stated that we are trying to keep firewood sales local.

Dr. Thomas asked what the national forests are doing.

Mr. DeLong stated that we have encouraged them and the county forests to take an aggressive approach to this problem.

Public Appearance

1. **Gene Roark**, Madison, Wisconsin Woodland Owners Association spoke in support of the emergency rule. We don't want to lose all our ash trees. He urged all government bodies to do what they can do to stop this disease from entering our state.

Mr. Ela MOVED, seconded by Mr. Poulson adoption of Emergency Board Order FR-20-06(E), relating to NR 45.04(1)(g), pertaining to regulating firewood entering and exiting state owned lands. The motion carried unanimously by all members present. Mr. O'Brien was absent.

Dr. Thomas asked staff to draft a letter or resolution to come back to the Board asking APHIS, U.S. Forest Service, and others for help with this issue.

3.B.2. **Adoption of FH-45-05, revisions to NR 25, pertaining to commercial fishing in outlying waters that implement changes to the State and Tribal Lake Superior Agreement.**

Mike Staggs, Director, Fisheries and Habitat Bureau stated that section 1 of the proposed rule increases the allowable harvest of lake trout from Wisconsin waters of Lake Superior by state-licensed commercial fishers and by Red Cliff and Bad River tribal fishers.

SECTION 2 removes a provision in the calculation of allowable gill net fishing effort by which allowable effort is reduced substantially when lake trout catch rates are unusually high during one fishing period.

SECTION 3 is a house-keeping correction clarifying the original intent of setting a minimum mesh size in trap nets.

SECTION 4 alters the boundaries of an area where commercial fishing is prohibited.

SECTION 5 changes the boundaries of the Gull Island and Devils Inland Refuges.

The proposed rule reflects terms agreed to by negotiators and expected to be adopted by parties to the renegotiated State-Tribal Lake Superior Agreement. The Agreement reflects a long-standing effort by the parties to recognize tribal fishing rights in Lake Superior on a cooperative basis.

Mr. Welter MOVED, seconded by Mr. Willett adoption of FH-45-05, revisions to NR 25, pertaining to commercial fishing in outlying waters that implement changes to the State and Tribal Lake Superior Agreement.

Mr. Ela asked if there is any potential for natural reproduction in the western part of the lake.

Mr. Staggs stated there is a little, but the habitat isn't ideal.

The motion carried unanimously by all members present. Mr. O'Brien was absent.

- 3.B.3. Request Authorization for Public Hearing for Board Order WM-02-06, revisions to NR 10 and NR 45, included in the 2006 Wildlife Management housekeeping rule package.

Kurt Thiede, Wildlife Biologist, Wildlife Management Bureau stated that annually the department updates administrative code language to correct inconsistencies and outdated language and provide clarification where appropriate. This year, the department is proposing the following changes related to hunting and trapping, specifically, this rule:

- Corrects an inaccurate statutory cross-reference in ch. NR 10, Wis. Adm. Code
- Clarifies that site exposed bait and scent restrictions in place for trapping apply to all traps, including snares and cable restraints
- Clarifies that the trapper who catches or kills a bobcat, fisher or otter must use his or her own carcass tag on the animal
- Corrects and clarifies the boundaries between wild turkey hunting zones and bear hunting zones in Lincoln County, and provides consistency between deer, turkey and bear hunting zone boundaries
- Corrects and clarifies boundaries in Deer Management Units 41, 50, 51A, 67A and 67B
- Updates regulations regarding the identification of tree stands on state-owned lands

Mr. Ela MOVED, seconded by Mr. Clausen approval for request authorization for public hearing for Board Order WM-02-06, revisions to NR 10 and NR 45, included in the 2006 Wildlife Management housekeeping rule package. The motion carried unanimously by all members present. Mr. O'Brien was absent.

- 3.B.4. Approval of 2006 Deer Herd Control Recommendations and response to legislative action to Board Order WM-29-05, revisions to NR 10 pertaining to deer hunting season and regulations.

Keith Warnke, Wildlife Biologist, Wildlife Management Bureau, stated that the department recommends that the NRB approve the following units for herd control season in 2006: 55 Herd Control (Formerly Zone t) units 1, 1M, 2, 3, 4, 6, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 22A, 23, 24, 25, 26, 27, 28, 29A, 30, 33, 35, 36, 47, 52, 53, 54A, 54C, 55, 57, 57A, 57B, 57C, 58, 59A, 59D, 60B, 63B, 64, 68B, 72, 73B, 73D, 74B, 77C, 77M, 80A, and 81.

20 Earn-a-Buck units: 46, 51A, 51B, 54B, 59B, 59C, 59M, 60M, 61, 62A, 62B, 63A, 64M, 65B, 66, 67A, 67B, 68A, 74A, 80B.

Mr. Welter asked if there is a date for the T-zone season in this package.

Mr. Warnke stated that this isn't a rule, just the recommendations for herd control. The herd control season is October 26-29 this year.

Mr. Ela asked for an update on the legislative actions.

Mr. Warnke stated that we are waiting for to hear from Joint Committee on Review of Administrative Rules (JCRAR) as to their plan of action on the December objection.

Mr. Ela asked about the legislation that was introduced yesterday and if it would take effect this season.

Mr. Warnke stated he thinks that's the intent of it.

Mr. Welter asked about changing the date for the T zone to two weeks earlier, what would be the process.

Mr. Warnke stated it would go through the regular rule making process.

Mr. Poulson asked why Mr. Welter wants to move the T zone date.

Mr. Welter stated that the later in October that the T zone is it gets into the rut season and the bow hunters want an opportunity to hunt bucks in the rut.

Dr. Thomas stated that last year there was lots of opposition and why they aren't here today.

Mr. Warnke stated that he spoke with Mr. Oestreicher and he stated that he doesn't have any problems with these recommendations and hasn't received any phone calls or letters regarding the recommendations. **Mr. Welter** asked about the eastern woodland units where there was EAB in 2004 and no EAB in 2005. The buck harvest went up 10% and the antlerless harvest is down. How is this affecting hunter perception in those units?

Mr. Warnke stated there are three things affecting hunter perception in the units. First, last year the Department agreed to remove EAB and the antlerless harvest went down. Secondly, those units saw the impact of one year of EAB in the reduction in mortality rates due to hunting. Third, there was a good campaign for prequalification for EAB.

Public Appearance

1. **Gene Roark**, Madison, Wisconsin Woodland Owners Association stated the association hasn't taken a position on deer population. He asked that when the Board deliberates to take into consideration the forestry industry because the deer are impacting woodlands. He asked the Board to talk to forest experts to see what effects deer have on Wisconsin forests.

Mr. Welter asked how the privately owned forestry practices are going to see the impacts of deer populations.

Mr. Roark stated that many of the people are buying land not for forestry industry, but for other purposes such as recreation and wildlife.

Mr. Clausen stated that deer are impacting the regeneration of the forest.

Mr. Welter MOVED, seconded by Mr. Clausen approval of 2006 Deer Herd Control Recommendations and response to legislative action to Board Order WM-29-05, revisions to NR 10 pertaining to deer hunting season and regulations

Mr. Welter stated he will vote for the motion, but he understands that the effects and hardship this will have on hunters. He asked hunters to harvest the antlerless deer and to make what they can out of this season.

Mr. Willett stated he is concerned about what the legislature will say about this. It has gotten to the point that they aren't even listening to us at all. He doesn't think there should be EAB because it's not going to pass at the legislature.

Mr. Welter stated that we saw the effects in the Eastern farmland units on the harvest after we had a year of no EAB. We lost ground on population control.

Mr. Clausen stated that we have a responsibility to keep the deer population under control even if there unpopular things in this proposal.

Mr. Welter stated that hunters understand that.

Mr. Willett asked if the Department has talked to the legislature about these concerns.

Mr. Warnke stated that they are aware of our green sheet and our recommendations. I have not received any comments from them. This isn't passing a new rule.

Richard Prosis, DNR Attorney stated that it is a policy decision. It doesn't go over to the legislature for their approval.

The motion carried unanimously by all members present. Mr. O'Brien was absent.

3.B.5. Land Acquisition, Statewide Natural Area, Sauk County.

Mr. Willett MOVED, seconded by Mr. Welter approval of Land Acquisition, Statewide Natural Area, Sauk County The motion carried unanimously by all members present. Mr. O'Brien was absent.

3.B.6. Land Acquisition, Statewide Natural Area, Door County

Mr. Ela MOVED, seconded by Mr. Willett approval of Land Acquisition, Statewide Natural Area, Door County. The motion carried unanimously by all members present. Mr. O'Brien was absent.

4. Citizen Participation 1:00 p.m.

None

5. Board Members' Matters

Mr. Ela clarified a Board matter from last month. The Federal Forest Service only has 80 acres in Chequamegon-Nicolet Forest slated for sale.

Mr. Welter requested an update on elk feeding from wildlife management by the June meeting, specifically the progress with the landowners and the winter 2005-06 experience. He also requested an informational item from Fisheries regarding the Sierra Club petition to list the Coaster Brook Trout. Specifically if there will be changes in management to protect coaster brook trout population, impacts of listing would have and how likely the listing will affect Wisconsin population.

Mr. Willett requested the Department to start process to name property after Lester Voigt. He suggested that Wisconsin State Park is renamed the Wisconsin Lester Boyd State Park. He was from Eau Claire and had a positive influence on parks.

Mr. Smith stated that there have been discussions with staff and the family. Perhaps we could have staff come and present the options to the Board.

Mr. Willett stated that those suggestions are not acceptable to the family because the properties are in Bayfield County where Mr. Voigt didn't have any impact.

Mr. Poulson stated that he would like more information about the William Noble family discussion with the Richard Bong property and a water problem removal of dam and drainage. He asked been done there and if there's an ongoing problem there and can the Department get it straightened out. His second issue is the Clean Sweep program and if the Department is involved in the advertising.

Mr. Smith stated that the Department funds part of the program, but the advertising is done through the local units of government.

Mr. Poulson stated that his third issue is regarding not the decibel issue in air boats, but the safety of air boats.

Dr. Thomas stated she received a letter from DATCP Board member, Mike Krutza that described a very positive experience he had in the Woodruff DNR office while licensing snowmobiles. Rosy Richter was very friendly, efficient, kind, and respectful.

6. Special Committees' Reports
None.

7. Department Secretary's Matters

7.A. Retirement Resolutions

7.A.1. Thomas H. Salzmann

7.A.2. James A. Steinke

7.A.3. Dale Lang

7.A.4. Thomas R. Gray

Mr. Poulson MOVED, seconded by Mr. Willett approval of the retirement resolutions. The motion carried unanimously by all members present. Mr. O'Brien was absent.

7.B. Donations

7.B.1. The Edward Siegel Trust will donate \$77,702.06 to the Stewardship Fund to be used for future land purchases.

Mr. Welter MOVED, seconded by Mr. Ela approval of the Edward Siegel Trust donation of \$77,702.06 to the Stewardship Fund to be used for future land purchases. The motion carried unanimously by all members present. Mr. O'Brien was absent.

7.B.2. Terry Kohler will donate \$10,000 to the Bureau of Endangered Resources to be used for the Trumpeter Swan Program.

Mr. Willett MOVED, seconded by Mr. Poulson approval of the Terry Kohler donation of \$10,000 to the Bureau of Endangered Resources to be used for the Trumpeter Swan Program.

7.B.3. The Friends of Horicon Marsh International Education Center will donate \$7,000 to support the LTE position of assistant naturalist at Horicon Marsh International Education Center.

Mr. Ela MOVED, seconded by Mr. Welter approval of the Friends of Horicon Marsh International Education Center donation of \$7,000 to support the LTE position of assistant naturalist at Horicon Marsh International Education Center. The motion carried unanimously by all members present. Mr. O'Brien was absent.

- 7.B.4. The Friends of Crex will donate up to \$100,000 over the next three years to be used for wildlife education and management activities at the Crex Meadows Wildlife Area and other properties comprising the Glacial Lake Grantsburg Wildlife Management Complex.

Mr. Clausen MOVED, seconded by Mr. Willett approval of the Friends of Crex donation of up to \$100,000 over the next three years to be used for wildlife education and management activities at the Crex Meadows Wildlife Area and other properties comprising the Glacial Lake Grantsburg Wildlife Management Complex. The motion carried unanimously by all members present. Mr. O'Brien was absent.

- 7.B.5. The Friends of High Cliff State Park will donate \$23,000 to High Cliff State Park for the hiring of an LTE educator.

Mr. Poulson MOVED, seconded by Mr. Ela approval of the Friends of High Cliff State Park donation of \$23,000 to High Cliff State Park for the hiring of an LTE educator. The motion carried unanimously by all members present. Mr. O'Brien was absent.

8. Information Items

- 8.A. Air, Waste, and Water/Enforcement
None.

- 8.B. Land Management, Recreation, and Fisheries/Wildlife
None

Mr. Poulson MOVED, seconded by Mr. Ela to adjourn and go into executive session. A roll call vote was taken.

Dr. Thomas - Yes	Mr. Poulson - Yes	Mr. Willett - Yes	Mr. Welter – Yes
Mr. Ela – Yes	Mr. Clausen – Yes	Mr. O'Brien – absent	

Mr. Ela stated that as a result of the executive session the Natural Resources Board the Board took action to settle a litigation matter and took action regarding a proposed real estate transaction in Wisconsin.

The meeting adjourned at 12:30 p.m.